

tions after shipment. Rodent excreta and urine stains were observed on the bags, and examination showed that the product had become contaminated with urine.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 23, 1945. The National Candy Co., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law by salvaging, denaturing, or other treatment, under the supervision of the Food and Drug Administration.

MISCELLANEOUS SACCHARINE PRODUCTS *

8855. Adulteration of cake chocolate. U. S. v. 78 Bales of Cake Chocolate. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15676. Sample No. 22903-H.)

LIBEL FILED: March 24, 1945, Southern District of Iowa.

ALLEGED SHIPMENT: On or about February 18, 1944, by Rockwood and Co., from Chicago, Ill.

PRODUCT: 78 bales, each containing 20 10-pound blocks, of cake chocolate at Davenport, Iowa.

LABEL, IN PART: "General Sweet Chocolate with Lecithin."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of beetles, larvae, insect excreta, and webbing.

DISPOSITION: April 4, 1945. The Crescent Macaroni and Cracker Co., Davenport, Iowa, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The unfit portions of the chocolate were cut off and destroyed.

8856. Adulteration of chocolate coating. U. S. v. 15 Bales of Chocolate Coating. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15677. Sample No. 22904-H.)

LIBEL FILED: March 24, 1945, Southern District of Iowa.

ALLEGED SHIPMENT: On or about November 3, 1943, by the Ambrosia Chocolate Co., from Milwaukee, Wis.

PRODUCT: 15 bales, each containing 20 10-pound bars, of chocolate coating at Davenport, Iowa.

LABEL, IN PART: "Ambrosia Thin Bar Dark Sweet Chocolate Coating."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of weevils, larvae, insect excreta, and webbing.

DISPOSITION: April 4, 1945. The Crescent Macaroni and Cracker Co., Davenport, Iowa, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The unfit portions of the chocolate were cut off and destroyed.

8857. Misbranding of honey. U. S. v. 30 Cases of Honey. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 15478. Sample No. 24198-H.)

LIBEL FILED: On or about March 9, 1945, Southern District of Alabama.

ALLEGED SHIPMENT: On or about September 13, 1944, by the McGowen Products Co., from Jeanerette, La.

PRODUCT: 30 cases, each containing 24 jars, of honey at Mobile, Ala. Examination showed that the article was short of the declared weight.

LABEL, IN PART: "Net Wt. 16 Ozs. McGowen's Linden Brand Choice Honey."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents.

*See also No. 8837.

DISPOSITION: March 26, 1945. Alfred B. McGowen, trading as the McGowen Products Co., claimant, having admitted that the product was misbranded, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

DAIRY PRODUCTS

BUTTER

The following cases report actions involving butter that was adulterated in that it consisted in whole or in part of a filthy or decomposed substance, Nos. 8858 to 8860; that was below the standard for milk fat content, Nos. 8859 and 8861 to 8872; and that was short of the declared weight, Nos. 8864, 8865.

8858. Adulteration of butter, ice cream mix, and ice cream. U. S. v. Beatrice Creamery Co. (Meadow Gold Dairies). Plea of guilty. Defendant fined \$150 and placed on probation for 3 years. (F. D. C. No. 15488. Sample Nos. 69323-F, 69327-F, 69342-F to 69344-F, incl.)

INFORMATION FILED: April 30, 1945, District of Montana, against the Beatrice Creamery Co., a corporation trading as the Meadow Gold Dairies, Billings, Mont.

ALLEGED SHIPMENT: Between the approximate dates of June 19 and 24, 1944, from the State of Montana into the State of Wyoming.

LABEL, IN PART: "Churning Cream for Meadow Gold Dairies," "Meadow Gold Butter," or "Meadow Gold Ice Cream."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of vegetable fibers, feather barbules, unidentified animal hairs, insect parts, rodent hairs, plant tissues, vegetable fibers resembling particles of wheat bran, hair resembling rodent hair, cat or dog hairs, and nondescript dirt; and, Section 402 (a) (4), the products had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: April 30, 1945. A plea of guilty having been entered on behalf of the defendant, a fine of \$150 was imposed and the defendant was placed on probation for 3 years.

8859. Adulteration of butter, and adulteration and misbranding of cottage cheese. U. S. v. Gold Coin Creamery Co. Plea of nolo contendere. Fine, \$1,050. (F. D. C. No. 15567. Sample Nos. 69463-F, 85648-F to 85650-F, incl., 85834-F.)

INFORMATION FILED: July 12, 1945, District of Colorado, against the Gold Coin Creamery Co., a corporation, Denver, Colo.

ALLEGED SHIPMENT: Between the approximate dates of September 8 and 19, 1944, from the State of Colorado into the States of Nebraska and Wyoming.

LABEL, IN PART: "Fresh Cream White Rock Butter," or "White Rock Cottage Cheese."

NATURE OF CHARGE: Cottage cheese and a portion of the butter, adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence, in the butter, of insect fragments, a whole insect, rodent hairs, hairs resembling cat or dog hairs, feather barbules, nondescript dirt, a fly egg, and a fly maggot, and, in the cheese, of insect fragments, feather barbules, a larva hair, and nondescript dirt.

Further adulteration, Section 402 (a) (4), the products had been prepared under insanitary conditions whereby they may have become contaminated with filth. Remainder of butter, adulteration, Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted or abstracted from the product; and, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

Misbranding, Section 403 (e) (2), a portion of the cottage cheese failed to bear a label containing an accurate statement of the quantity of the contents since the cartons contained less than 12 ounces, the declared weight; and, Section 403 (g) (1), the remainder of the cottage cheese failed to conform to the definition and standard of identity for cottage cheese since it contained artificial color.